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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,323	10/18/2001	Richard Dean Dettinger	ROC920010241US1	6608

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EXAMINER
SAIN, GAUTAM

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 03/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application No.	Applicant(s)	
Office Action Summary		09/982,323	DETTINGER, RICHARD DEAN	
		Examiner	Art Unit	
		Gautam Sain	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>19 November 2004</u>.
2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-34* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-34* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1)   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

1-1)   **Claims 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24,**

26, 27, 28, 29, 30, 31, 32, 33, 34 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Shulman et al (US 6311323, filed Sep 7, 1999), in view of the

MultiEdit software NonPatent Literature 9 (hereinafter "MultiEdit")(1998 and 1999,

version 8.0 by American Cybernetics, available at

http://web.archive.org/web/19991013045651/multiedit.com/80info.htm)

        Regarding claim 1, 20, Shulman teaches [in response to] receiving ...

environment (ie., user input to computer system ... keyboard and/or pointing device

used to highlight or select options)(col 6, lines 55-56).

        Shulman teaches determining the context of the input location (ie., context ...

determined)(col 17, lines 33-49; fig 7, item 740).

        Shulman teaches determining ... context (ie., finite list of declared entities .. at

present character location)(col 4, lines 48-52).

        Shulman teaches determining ... terms (ie., determination ... high level

compilation ... instantly resolved ... definition)(col 5, lines 39-50).

Shulman does not expressly teach, but MultiEdit teaches wherein determining the context comprises determining a cursor location and determining a scope for the cursor location, wherein the scope is defined by a start position and an end position in the programming environment (ie., text in Quotes, text in Comments from cursor position at top of tile and continue to end of file)(Multiedit, page 6)(page 2, under Power Editing Feature, Spellchecker – check text in quotes for source code).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Shulman to include the spell checking in quotes or from cursor begin and end position as taught by Multiedit software, providing the benefit of a source code editor that designed to work the way a programmer works (Multiedit, page 1 top) and a long felt need for a programming tool to assist the programmer in writing a computer program accurately and efficiently (Shulman, col 4, lines 12-15).

Regarding claim 2, 14, 22, Shulman teaches plurality of ... input location (ie., selection menu shows list entities valid options at the present character)(col 4, lines 48-55).

Regarding claims 3, 23, Shulman teaches determining ... method (ie., present character position cursor ... statement)(col 4, lines 50-52).

Shulman teaches if so, selecting ... methods (ie., all callable procedures in the VBA library)(col 19, 1-5).

Regarding claim 4, 16, 24, 33, Shulman teaches if so ... terms (ie., characters in each line of code compiled against a local program definition or global library

definition)(col 5, lines 40-50). Examiner broadly interprets spoken language dictionary

as the any dictionary that user can see and recite the entries orally.

Shulman does not expressly teach but Multiedit teaches determining whether the

input location is in a comment (ie., text in Comments)(page 6).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Shulman to include detecting text in comments as taught by

Multiedit software, providing the benefit of a source code editor that designed to work

the way a programmer works (Multiedit, page 1 top) and a long felt need for a

programming tool to assist the programmer in writing a computer program accurately

and efficiently (Shulman, col 4, lines 12-15).

Regarding claims 6, 13, Shulman teaches visually ... information (ie., pass

through ... error flagged)(col 3, line 50), but does not expressly teach visually indicating.

However, it was commonly known to those of ordinary skill in the art that the visual

indicator for the purpose of notifying a programmer of errors in their code.

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Shulman to incorporate a visual indicator for errors flagged for the

purpose recognized in the art of Shulman, as discussed above.

Regarding claim 7, Shulman teaches identifying ... context ... dynamically ...

terms (ie., finite list of declared entities ... at present character location)(col 4, lines 48-

5). The finite list is updated with entities from the programming environment.

Regarding claims 8, 26, 34, Shulman does not expressly teach, but MultiEdit

teaches wherein the scope is determined based on a scope table containing index data

of scope start position and scope end position (ie., text in quotes, text in comments only checks text within the scope of the quotes or comments, in conjunction with the Auxiliary dictionary as the reference index for the words stored in a standard alphabetical dictionary form)(page 6).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Shulman to include text within quotes/comments in conjunction with the dictionary as the reference index for the words in the dictionary to compare with the words within the scope of the quotes/comments as taught by Multiedit software, providing the benefit of a source code editor that designed to work the way a programmer works (Multiedit, page 1 top) and a long felt need for a programming tool to assist the programmer in writing a computer program accurately and efficiently (Shulman, col 4, lines 12-15).

Regarding claim 9, 18, 27, Shulman does not expressly teach, but Multiedit teaches updating the index data in the scope table reflecting user input into the programming environment (ie., add to Aux1 dictionary – user adds to the dictionary so the word is no longer a misspelling)(page6)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Shulman to include user adding to the dictionary so the word is no longer a misspelling as taught by Multiedit software, providing the benefit of a source code editor that designed to work the way a programmer works (Multiedit, page 1 top) and a long felt need for a programming tool to assist the programmer in writing a computer program accurately and efficiently (Shulman, col 4, lines 12-15).

Regarding claims 10, 19, 28, Shulman teaches plurality ... another scope (ie., anticipation typed characters ... narrow list of items)(col 10, 9-15; fig 4, box of list to select the word to be placed in the editor), but does not expressly teach moving the cursor and changing the scope accordingly. However, it was commonly known to those of ordinary skill in the art that the change of scope occurs in response to the cursor moving occurs as the user types in more characters for the purpose anticipating the potential word for the user to choose from and norrow/exapand the choices/scope of selection of valid words that the user can enter.

It would have been obvious to one of ordinary skill in the art at the time of the invention to interpret Shulman to include changing the scope as the user types in more characters for the purpose recognized in the art Shulman, as discussed above.

Regarding claim 11, 29, Shulman teaches plurality ...scope (ie., cursor is placed within the programming language statement)(col 13, lines 1-5), but does not expressly teach remain unchanged. However, it was commonly known to those of ordinary skill in the art that the change of scope does not occur in response to the cursor moving as the user types in more characters for the purpose of selecting from only a finite list that does not suggest more or less choices for the user as the user types more characters.

It would have been obvious to one of ordinary skill in the art at the time of the invention to interpret Shulman to include not adding/subtracting from the list of choices for the user as the user enters more characters for the purpose recognized in the art of Shulman, as discussed above.

Regarding claim 12, Shuman teaches a memory ... persistent between

programming environments (ie., assistant window continues to update ... includes any

finite list of previously declared entities ...)(col 4, lines 44-55; col 5, lines 1-20).

Shulman teaches [in response to] receiving ... environment (ie., user input to

computer system ... keyboard and/or pointing device used to highlight or select

options)(col 6, lines 55-56).

Shulman teaches determining ... variable dictionary (ie., context ...

determined)(col 17, lines 33-49; fig 7, item 740)(ie., finite list of declared entities .. at

present character location)(col 4, lines 48-52).

Shulman teaches determining ... terms (ie., determination ... high level

compilation ... instantly resolved ... definition)(col 5, lines 39-50).

Shulman does not expressly teach, but MultiEdit teaches wherein determining

the context comprises determining the plurality of relevant terms comprises determining

a scope for the input location, wherein the scope is defined by a start position and an

end position in the programming environment (ie., text in Quotes, text in Comments

from cursor position at top of tile and continue to end of file)(Multiedit, page 6)(page 2,

under Power Editing Feature, Spellchecker – check text in quotes for source code).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Shulman to include the spell checking in quotes or from cursor begin

and end position as taught by Multiedit software, providing the benefit of a source code

editor that designed to work the way a programmer works (Multiedit, page 1 top) and a

long felt need for a programming tool to assist the programmer in writing a computer

program accurately and efficiently (Shulman, col 4, lines 12-15).

Regarding claim 15, Shulman teaches Shulman teaches determining ... method

(ie., present character position cursor ... statement)(col 4, lines 50-52).

Shulman teaches if so, selecting ... program methods (ie., local program

definition or a global library definition – the global library does not change according to

the local program environment)(col 5, lines 40-50).

Regarding claims 21, Shulman teaches outputting ... information (ie., pass

through .. error flagged)(col 3, line 50), but does not expressly teach visually indicating.

However, it was commonly known to those of ordinary skill in the art that the visual

indicator for the purpose of notifying a programmer of errors in their code.

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Shulman to incorporate a visual indicator for errors flagged for the

purpose recognized in the art of Shulman, as discussed above.

Regarding claim 30, Shulman teaches in response ... determining ... location

(ie., context ... determined)(col 17, lines 33-49; fig 7, item 740).

Shulman teaches determining ... context (ie., finite list of declared entities .. at

present character location)(col 4, lines 48-5)(ie., determination ... high level compilation

... instantly resolved ... definition)(col 5, lines 39-50).

Shulman teaches outputting ... information (ie., pass through .. error flagged)(col

3, line 50).

Shulman does not expressly teach, but MultiEdit teaches wherein determining the context comprises determining a scope according to a cursor location wherein the scope is defined by a start position and an end position in the programming environment (ie., text in Quotes, text in Comments from cursor position at top of tile and continue to end of file)(Multiedit, page 6)(page 2, under Power Editing Feature, Spellchecker – check text in quotes for source code).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Shulman to include the spell checking in quotes or from cursor begin and end position as taught by Multiedit software, providing the benefit of a source code editor that designed to work the way a programmer works (Multiedit, page 1 top) and a long felt need for a programming tool to assist the programmer in writing a computer program accurately and efficiently (Shulman, col 4, lines 12-15).

Regarding claim 31, Shulman teaches determining ... location (ie., selection menu shows list entities valid options at the present character)(col 4, lines 48-55).

Regarding claims 32, Shulman teaches determining ... method (ie., present character position cursor ... statement)(col 4, lines 50-52).

Shulman teaches if so, selecting ... method code (ie., all callable procedures in the VBA library)(col 19, 1-5).

1-2)   Claims 5, 17, 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over <u>Shulman</u> (as cited above), in view of <u>Multiedit</u> (as cited above), further in view of <u>Sonderegger</u> (US 5893118, issued Apr 6, 1999).

Regarding claim 5, 25, Shulman teaches determining ... method (ie., present character position cursor ... statement)(col 4, lines 50-52).

Shulman teaches if so, selecting ... methods (ie., all callable procedures in the VBA library)(col 19, 1-5).

Shulman in view of Multiedit does not expressly teach, but Sonderegger teaches if the location ... selecting ... program methods (ie., native code library ... Java library)(col 9, lines 30-35).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Shulman in view of Multieditto include native code and java libraries as taught by Sonderegger, providing the benefit of a novel method for managing Java classes which are distributed in a computer network (Sonderegger, col 5, lines 1-5).

Regarding claim 17, Shulman teaches determining ... method (ie., present character position cursor ... statement)(col 4, lines 50-52).

Shulman teaches if so, selecting ... program methods (ie., local program definition or a global library definition – the global library does not change according to the local program environment)(col 5, lines 40-50).

Shulman in view of Multiedit does not expressly teach, but Sonderegger teaches if the location ... selecting ... program methods (ie., native code library ... Java library)(col 9, lines 30-35).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Shulman in view of Multiedit to include native code and java libraries

as taught by Sonderegger, providing the benefit of a novel method for managing Java classes which are distributed in a computer network (Sonderegger, col 5, lines 1-5).

Response to Arguments

Applicant's arguments filed 11/19/04 have been fully considered but they are not persuasive. The thrust of Applicant's arguments is that Shulman does not teach context-sensitive word validity checking in a programming environment in which a scope for a cursor location in the programming environment is determined in order to determine the relevant terms for the validity determination as claimed. Examiner introduces the MultiEdit nonpatent literature to teach these newly amended limitations to all the claims. MultiEdit is in a programming environement (see page 5) and has a SpellChecker (page 2) for words within a scope of quotes/comments that it compares with a set of auxiliary dictionaries (page 6). Shulman in conjunction with MultiEdit teaches almost all aspects of the claimed invention, directly, inherently or obviously. Sonderegger teaches a few of the missing elements for managing global distributed software components.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Gautam Sain whose telephone number is 571-272-

4096. The examiner can normally be reached on M-F 9-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

GS

SANJIV SHAH
PRIMARY EXAMINER